REMARKS/ARGUMENTS

Claims 1-18 are currently a part of this application.

Claims 1, 8 and 11 have been amended and claim 7 has been cancelled in this present Response.

Reconsideration of this application, as amended, is respectfully requested.

A. Claim Rejections Under 35 U.S.C. § 103

Claims 1-6 and 9-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,518,586 to Mirous (hereafter "Mirous") in view of U.S. Pat. No. 6,228,281 to Sage (hereafter "Sage"). Claims 7 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mirous in view of Sage and further in view of U.S. Pat. No. 6,432,482 to Jaffee et al. (hereafter "Jaffee").

Specifically, the Examiner asserts that Mirous generally teaches all the steps of claim 1 of the instant invention. The Examiner admits that Mirous does not disclose the composition or properties of the lubricant, and further, that Mirous does not disclose that the sized fibers have a loss on ignition between 0.01% and about 0.75%. However, the Examiner states that Sage discloses treating glass fibers with a sizing composition comprising a cationic lubricant that can be a partially amidated polyalkylene imine such as a reaction of C2 to C18 fatty acids with a polyethylene imine having a molecular weight from about 800 to about 50,000, and that the product has a residual amine value from about 200 to about 800. The Examiner states that Sage discloses that the amount of cationic lubricant is present in an amount from about 0.01% to about 0.1% by weight of the composition, and that Sage teaches that the sizing composition helps

prevent breakage of fibers during handling and reduces the fuzz on the surface of the fibers. The Examiner also asserts that the "sized fibers disclosed by Sage would inherently have the claimed LOI because, where the claimed and prior art apparatus or product are identical or substantially identical in structure or composition, a prima facie case of either anticipation or obviousness has been established." (Office Action, Page 4)

The Examiner concludes that the art of Mirous, Sage, and the instant invention are analogous as they pertain to the art of treating glass fibers. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to use the claimed sizing composition in the mat of Mirous in view of Sage to reduce the breakage of fibers and creation of fuzz on the fiber surface.

Applicant requests reconsideration of the present rejection. Independent claim 1, a method claim, has been amended to recite that the individual sized glass fibers are collected on an endless moving conveyer, and further, that the individual sized glass fibers are dried as the individual sized glass fibers move on the endless moving conveyer.

The Examiner admits that Mirous and Sage do no disclose that the drying and binder application steps occur on adjacent endless moving conveyers (page 5 of the Office Action). However, the Examiner states that Jaffee discloses a process comprising forming and drying a mat on a permeable moving belt and transferring the dried mat to a second moving screen or belt where a binding resin is applied.

However, the present invention, as provided for in independent claims 1 and 11, recites that the individual glass fibers are collected on an endless moving conveyer, and that the individual sized glass fibers are dried as the individual sized glass fibers move on the endless moving conveyer.

Jaffee, on the other hand, teaches in Fig. 1 and the description (Col. 4, lines 5-24), that the mat 28 is formed in the mat forming machine 17. Once the wet mat is formed it is dewatered to a desired level in a suction box 29. The present invention, however, teaches that the individual glass fibers are dried as the glass fibers move on the conveyer; thus, they are dried while moving. Jaffee teaches the drying step is performed in a suction box, and then transferred to a moving screen and run though a binder application (Col. 4, lines 16-20).

In the present invention, the sized glass fibers are added to an aqueous dispersant medium to form an aqueous slurry. The aqueous dispersant includes an emulsifier to generate entrained air when the slurry is thereupon agitated. This entrained air imparts a white color to the slurry and thus the slurry is referred to as "white water." This agitation of the aqueous slurry separates the glass fibers into individual strands.

The recovered individual glass fiber strands are thereupon dried. The drying step is effectuated by collecting the wet, sized glass fibers on an endless moving conveyer, the conveyer preferably being a wire screen. As the glass fibers move on the endless conveyer, they are heated and vacuumed to remove water. By the time the wet glass fibers traverse the length of the endless conveyer, the drying step is completed.

As such, an element of the present invention as recited in amended claims 1 and 11 of the present application is not found in the references of Mirous, Sage and Jaffee, individually or in combination.

It has been held by the Courts that to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). The cited references of Mirous, Sage and Jaffee,

individually or in combination, completely fail to teach the claimed limitations of independent claims 1 and 11.

With respect to the §103(a) rejection of dependent claim 7, the claim has been cancelled rendering the rejection moot. With respect to the §103(a) rejection of dependent claim 8, the cited references fail to disclose all the elements of independent claim 1 from which this claim depends. Accordingly, since dependent claim 8 recites additional unique elements and/or limitations, this claim remains patentable.

Therefore, Applicants respectfully request that the 35 U.S.C. §103(a) rejection of claims 1-6 and 9-18 under Mirous in view of Sage be withdrawn, and the 35 U.S.C. §103(a) rejection of claim 8 under Mirous in view of Sage and Jaffee be withdrawn as well. Accordingly, Applicants respectfully request allowance of claims 1-6 and 8-18.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

B. Conclusion

In view of the aforementioned remarks and amendments, the Applicants believe that each of the pending claims is in condition for allowance and respectfully requests that the objections and rejections in the present Office Action be withdrawn. If, upon receipt and review of this amendment, the Examiner believes that the present application is not in condition for allowance and that changes can be suggested which would place the claims in allowable form, the

Examiner is respectfully requested to contact Applicant's undersigned counsel at the number provided below.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 03-1250 (Ref. No. FDN-2821).

Respectfully submitted,

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